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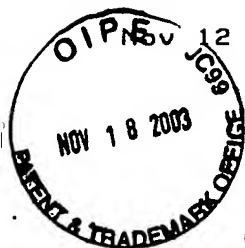
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**CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. § 1.8**

I hereby certify that this correspondence and attached documents in response to a Notice to File Missing Parts of Application, pursuant to 37 CFR § 1.8, are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

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**PATENT****IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE**

Applicant: Scott D. Shaw

Docket No.: 40850.0100

Serial No.: 10/600,720

Group Art Unit: 2856

Filed: June 20, 2003

Confirmation No.: 5846

Title: **FLOW TESTING SYSTEM  
AND METHOD**

Examiner: TBA

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original inventor of the subject matter which is claimed and for which a patent is sought on an invention entitled "**FLOW TESTING SYSTEM AND METHOD**", the specification of which:

☐ is attached hereto.

☒ was filed on June 20, 2003 as Application Serial No. 10/600,720 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed

[ ]

|        |         |             |
|--------|---------|-------------|
| Number | Country | Filing Date |
| Number | Country | Filing Date |

[ ]

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

|                    |               |
|--------------------|---------------|
| 60/390,452         | June 21, 2002 |
| Application Number | Filing Date   |
| Application Number | Filing Date   |

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

|                        |             |        |
|------------------------|-------------|--------|
| Application Serial No. | Filing Date | Status |
| Application Serial No. | Filing date | Status |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

#### **POWER OF ATTORNEY**

As a below named inventor, I hereby appoint the following attorneys to prosecute the above-captioned United States patent application and to transact all business in the United States Patent and Trademark Office connected therewith and with the resulting patent, individually and collectively, Patrick L. Mixon, Reg. No.47,801, and:

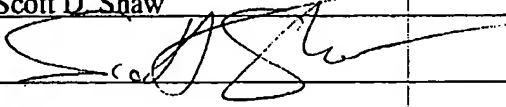
#### **SNELL & WILMER L.L.P.**

One Arizona Center  
400 East Van Buren  
Phoenix, Arizona 85004-0001  
Tel. (602) 382-6000  
Fax (602) 382-6070;

and the registered attorneys associated with Snell & Wilmer's Customer Number 020322.

**Please send all further correspondence to Snell & Wilmer L.L.P. at the above address.**

Full name of first inventor: Scott D. Shaw

Inventor's signature: 

Residence: Mesa, Arizona

Citizenship: United States

Post Office Address: 2656 E. Jacinto Circle



12 03 04:05p

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p. 4

**CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. § 1.8**

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Signature of person depositing mail

**PATENT****UNITED STATES PATENT AND TRADEMARK OFFICE**

|               |                                       |                   |            |
|---------------|---------------------------------------|-------------------|------------|
| Applicant(s): | Scott D. Shaw                         | Docket No.:       | 40850.0100 |
| Serial No.:   | 10/600,720                            | Group Art Unit:   | 2856       |
| Filed:        | June 20, 2003                         | Confirmation No.: | 5846       |
| Title:        | <b>FLOW TESTING SYSTEM AND METHOD</b> | Examiner:         | TBA        |

**VERIFIED STATEMENT (DECLARATION) CLAIMING  
SMALL ENTITY STATUS UNDER 37 C.F.R. §1.9(f) AND 1.27 --  
SMALL BUSINESS CONCERN**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madam:

I hereby declare that I am:

- ☐ the owner of the small business concern identified below.
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF CONCERN: Automated Control Systems, Inc.ADDRESS OF CONCERN: 1035 N. McQueen Road, Suite 120, Gilbert, Arizona 85233

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. §§121.3-18, and reproduced in 37 C.F.R. §1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed

500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled:

FLOW TESTING SYSTEM AND METHOD

by inventor(s) Scott D. Shaw

described in:

- ☐ the specification filed herewith  
☒ application serial no. 10/600,720 filed June 20, 2003.  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as a small business concern under 37 C.F.R. §1.9(d) or a nonprofit organization under 37 C.F.R. §1.9(e).

**NOTE:** Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. §1.27)

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

☐ Individual      ☐ Small Business Concern      ☐ Nonprofit Organization

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

☐ Individual      ☐ Small Business Concern      ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. §1.28(b))

I hereby declare that all statements made herein are of my own knowledge, are true and that all statements made on information and belief are believed to be true; and further, that these

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

Scott D. Shaw

TITLE OF PERSON OTHER THAN OWNER:

President

ADDRESS OF PERSON SIGNING:

2656 E Jacinto Cir Mesa AZ 85204

SIGNATURE:

[Signature]

DATE:

11/12/03**SNELL & WILMER LLP.**

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